

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 \* \* \*

7 FLEURETTE FIRESTONE,

8 Plaintiff,

9 Case No. 2:11-cv-02036-MMD-PAL

10 v.  
11 BAC HOME LOAN SERVICING, LP, et  
12 al.,  
13 Defendants.

14 ORDER

15 (Defendant's Motion for Summary  
16 Judgment – dkt. no. 32;  
17 Defendant's Motion to Expunge Lis  
18 Pendens – dkt. no. 35)

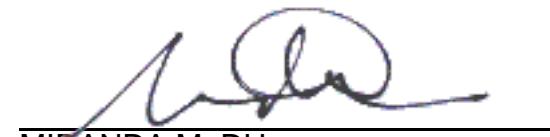
19  
20 Before the Court are Defendant BAC Home Loans Servicing, LP, Bank of New  
21 York Mellon, and Recontrust Company's Motion for Summary Judgment (dkt. no. 32),  
22 and Motion to Expunge Lis Pendens (dkt. no. 35). Plaintiff did not oppose either Motion  
23 within the requisite time period to file response briefs. (See dkt. no. 39). The Court  
24 issued a minute order on March 13, 2013, informing Plaintiff that she must respond to  
25 both Motions by March 22, 2013 (dkt. no. 39), but she did not file a response to either  
26 motion.

27 Failure to file points and authorities in opposition to a motion constitutes consent  
28 that the motion be granted. L.R. 7-2(d); see *Abbott v. United Venture Capital, Inc.*, 718  
F. Supp. 828, 831 (D. Nev. 1989). The Court accordingly GRANTS Defendants'  
unopposed Motion for Summary Judgment. (Dkt. no. 32.) The Motion for Summary  
Judgment disposes of all remaining claims in this case (see dkt. no. 32 at 2). As there  
are no remaining pending claims in this action, the Court also GRANTS Defendants'  
Motion to Expunge the Lis Pendens pursuant to NRS § 14.010(1). (Dkt. no. 35.)

1 The Clerk of the Court is HEREBY ORDERED to close this case.

2 IT IS FURTHER ORDERED that the party who recorded the lis pendens record a  
3 copy of this Order with the Clark County Recorder's Office. NRS § 14.017(6).

4 DATED THIS 29th of March, 2013.

5  
6  
7   
8 MIRANDA M. DU  
9 UNITED STATES DISTRICT JUDGE  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28